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12 Attorneys for Defendant
13 RAMESH "SUNNY" BALWANI

14 UNITED STATES DISTRICT COURT
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16 NORTHERN DISTRICT OF CALIFORNIA
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18 SAN JOSE DIVISION
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20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 ELIZABETH HOLMES and RAMESH
24 "SUNNY" BALWANI,

25 Defendants.
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Case No. CR-18-00258-EJD-SVK

**DEFENDANT RAMESH "SUNNY"
BALWANI'S LIMITED WAIVER OF
RIGHT TO BE PRESENT AT BENCH
CONFERENCES**

Hon. Edward J. Davila

1 The undersigned Defendant Ramesh "Sunny" Balwani hereby makes a limited waiver of
2 the right to be present at any bench conferences that may occur during the course of trial.
3 Mr. Balwani further agrees that he will rely on his attorneys who participate in the conferences to
4 fully inform him of the nature of the conference and consult with him as needed and that his
5 interests will be deemed represented by the presence of his attorneys, the same as if Mr. Balwani
6 himself were personally present. This waiver does not extend to any other of Mr. Balwani's
7 rights, including his constitutional right to be present for other phases of the trial proceedings.
8 See *Rushen v. Spain*, 464 U.S. 114, 117 (1983) ("Our cases recognize that the right to personal
9 presence at all critical stages of the trial and the right to counsel are fundamental rights of each
10 criminal defendant.")

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12 DATED: February 18, 2022



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14 RAMESH "SUNNY" BALWANI

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16 DATED: February 24, 2022

Respectfully submitted,

17 ORRICK HERRINGTON & SUTCLIFFE LLP

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19 By: /s/ Jeffrey B. Coopersmith
Jeffrey B. Coopersmith

20 Attorney for Defendant
21 RAMESH "SUNNY" BALWANI
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